

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
SHELBY DIVISION**

IN RE:

**CARL STEPHEN MINNIX
SSN: XXX-XX-8544**

**Case No. 10-40233
Chapter 7**

**FREIDA BOWEN MINNIX
SSN: XXX-XX-0466**

Debtors

**MOTION FOR EX PARTE ORDER REOPENING CASE
TO EXTEND TIME FOR FILING A REAFFIRMATION AGREEMENT**

NOW COME the above-named debtors by and through counsel, and respectfully moves the Court pursuant to Section 350(b) of Title 11 of the United States Code, Rule 9024 of the Rules of Bankruptcy Procedure and Rule 60 of the Federal Rules of Civil Procedure for the entry of an ex parte order to REOPEN this case in order for the debtor to file a motion to extend time for filing a reaffirmation agreement and to timely file a fully executed reaffirmation agreement.

THE DEBTORS respectfully show unto this Court that an Order of Discharge of Debtor and a Final Decree closing the case was duly entered in this proceeding on or about July 23, 2010. The debtors wish to reopen the case to be able to file a motion to extend the time for filing a reaffirmation agreement and to file a fully executed reaffirmation agreement. Once this motion has been filed, so ordered, and a fully executed reaffirmation agreement has been timely filed, a Final Decree closing the case can be issued and the case can be re-closed.

THE DEBTORS are informed and believe and therefore allege that it would be in the interest of justice to reopen this case and allow the debtors to proceed with the legal action described and they so move the Court for such relief and for such additional relief as the Court may deem just and proper.

This the 6th day of October, 2010.

/s/ Joshua B. Farmer

Joshua B. Farmer, NC Bar #: 32669
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CERTIFICATE OF SERVICE

I, Joshua B. Farmer, of TOMBLIN, FARMER & MORRIS, PLLC, hereby certify that a copy of the foregoing MOTION FOR EX PARTE ORDER REOPENING CASE TO EXTEND TIME FOR FILING A REAFFIRMATION AGREEMENT has been served via electronic filing through the US Bankruptcy Court or by depositing a true and exact copy in an official repository of the United States Postal Service in a postage paid envelope addressed to the following:

Carl Stephen Minnix
Freida Bowen Minnix
202 Bradley Road
Shelby, NC 28152

*Robert C. Barnett, Trustee
(via electronic notice)*

GMAC Financial Services
ATTN: J. Berg
PO Box 130424
Roseville, MN 55113

*Bankruptcy Administrator
(via electronic notice)*

This the 6th day of October, 2010.

/s/Joshua B. Farmer
Joshua B. Farmer, NC Bar #: 32669
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